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Attorneys for Plaintiff  
COMET TECHNOLOGIES USA INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

COMET TECHNOLOGIES USA INC., a  
Delaware corporation,

Plaintiff,

v.

DOUGLAS BEUERMAN, an individual, and  
DOES 1-10,

Defendants.

Case No. 5:18-cv-01441 LHK

**TEMPORARY RESTRAINING  
ORDER, ORDER PERMITTING  
EXPEDITED DISCOVERY, ORDER  
RE: PRELIMINARY INJUNCTION**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

This matter came before this Court on the Renewed *Ex Parte* Application of Plaintiff Comet Technologies USA Inc. (“Comet” or “Plaintiff”) seeking a temporary restraining order, order to show cause why preliminary injunction should not issue, and an order for expedited discovery (the “Application”). Having considered the Complaint, the Plaintiff’s Renewed *Ex Parte* Application, the Memorandum of Points and Authorities, the Declaration of André Grede, Sam Rubin, Robert Jardim, Matthew Miller, and Nisha Patel and the exhibits thereto, as well as the arguments submitted by the parties, this Court GRANTS Plaintiff’s Application as follows:

**IT IS HEREBY ORDERED THAT** Beuerman, and any other person or entity participating with or acting for, on behalf of, or in concert with Beuerman, are temporarily

TEMPORARY RESTRAINING ORDER,  
ORDER PERMITTING EXPEDITED DISCOVERY,  
ORDER RE: PRELIMINARY INJUNCTION  
CASE NO. 5:18-CV-1441 LHK

1 enjoined and restrained:

- 2 1. From accessing, using or disclosing, for any purposes, Comet's trade secret and
- 3 confidential information, including but not limited to information related to
- 4 Comet's Generation 3.0 technology and the Da Vinci project;
- 5 2. From altering, destroying, erasing, losing or disposing of any evidence or other
- 6 material, in any form and including that which may now reside at XP Power,
- 7 relating to this action, including but not limited to:
- 8 a. Comet's trade secret and confidential information, including but not
- 9 limited to Comet's Generation 3.0 technology and the Da Vinci project;
- 10 b. Any devices, drives, computers, tablets, phones, electronic media, emails
- 11 and email accounts, and cloud storage that contain Comet's trade secret
- 12 and confidential information, including but not limited to Comet's
- 13 Generation 3.0 technology and the Da Vinci project; and
- 14 3. From violating his confidentiality and return of property agreements with Comet.

15 **IT IS HEREBY ORDERED THAT** the temporary restraining order expire upon the  
 16 ruling on Comet's request for a preliminary injunction.

17 **IT IS HEREBY ORDERED THAT** Beuerman return to Comet, through Comet's  
 18 undersigned counsel:

- 19 1. Comet's trade secret and confidential information, including but not limited to
- 20 information related to Comet's Generation 3.0 technology and the Da Vinci
- 21 project; and
- 22 2. Any devices, drives, computers, tablets, phones, electronic media, emails and
- 23 email accounts, and cloud storage that contain Comet's trade secret and
- 24 confidential information, including but not limited to Comet's Generation 3.0
- 25 technology and the Da Vinci project.

26 **IT IS HEREBY ORDERED THAT** Comet may request discovery on an immediate  
 27 expedited basis regarding the following subjects:

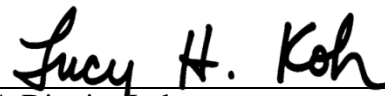
1. The company property Beuerman took from Comet, including the trade secret and confidential information that is the subject of this action;
2. The current location of any Comet property taken by Beuerman, including the trade secret and confidential information that is the subject of this action;
3. Whether, when and what trade secret and confidential information Beuerman has disclosed to his new employer, XP Power; and
4. Whether and what trade secret and confidential information Beuerman is using in the course of his employment at XP Power.

Comet is permitted to take the deposition of Beuerman, which shall be limited to 7 hours. The deposition shall be completed no later than April 9, 2018. All parties shall serve responses to written discovery requests no later than 14 days after service.

**IT IS HEREBY ORDERED THAT** Plaintiff's request for a preliminary injunction is DENIED without prejudice. Plaintiff shall file a renewed motion for preliminary injunction by April 13, 2018. Defendant shall file an opposition by April 24, 2018. Plaintiff may file a reply on April 27, 2018. The Court sets a hearing on Plaintiff's request for a preliminary injunction for May 10, 2018, at 1:30 p.m.

**IT IS SO ORDERED.**

Date: March 15, 2018

  
 U.S. District Judge  
 Northern District